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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: R. GOVINDARAJAN *et al.*

Application No.: 09/853,619

Group Art Unit: 1614

Filed: May 14, 2001

Examiner: J. D. Goldberg

For: COMPOSITIONS AND METHODS FOR
THE TREATMENT OF COLORECTAL
CANCER

Attorney Docket No.: 9516-021

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed December 7, 2001, in which the above-captioned application was examined for restriction purposes only. Applicants respectfully request consideration and entry of the following remarks and provisional election in the file of the application.

REMARKS

On page 2 of the Office Action, the Examiner requires that this application be restricted to one of two groups of claims: Group I (claims 1-19) drawn, in part, to methods of treating cancer; or Group II (claims 20-22) drawn to methods of reducing or eliminating gastrointestinal toxicity. Applicants provisionally elect, with traverse, Group I (claims 1-19). Further to the Examiner's request that an election of species also be made, Applicants elect the combination of irinotecan and thalidomide.

However, Applicants respectfully submit that because a single search would encompass all of the pending claims, the restriction requirement should be withdrawn. In particular, it is submitted that an art search directed to irinotecan and thalidomide would